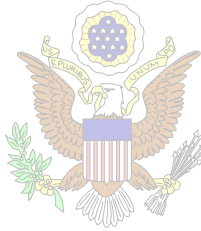


**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

LAWRENCE K. BAERMAN
Clerk

JOHN M. DOMURAD
Chief Deputy



**James T. Foley Courthouse
445 Broadway, Room 509
Albany, New York 12207
518-257-1809
Fax 518-257-1811**

FROM: Larry Baerman, Clerk of Court

DATE: December 14, 2004

SUBJECT: re: Increase in case compensation maximums under the CJA.

The Omnibus Appropriations Act, Fiscal Year 2005, enacted on December 8, 2004, amends the Criminal Justice Act (CJA), 18 U.S.C. § 3006A, to raise the case compensation maximums applicable both to appointed counsel (private “panel” attorneys) and providers of investigative, expert, and other services. The hourly rates are not affected by this modification.

The new CJA case compensation maximums apply to cases pending on or after **December 8, 2004**. Specifically, the new case compensation maximums apply to a voucher submitted by appointed counsel or a provider of investigative, expert, or other services if that person furnished any CJA-compensable work **on or after December 8, 2004**.

The former case compensation maximums apply to a voucher submitted by appointed counsel or a provider of investigative, expert, or other services if that person’s work on the representation was completed before December 8, 2004.

The case compensation rates are as follows:

Old Rates

- a) for appointed attorneys
 - felony \$5,200,
 - misdemeanor \$1,500,
 - appeal \$3,700,
 - 18 U.S.C. § 4106A parole proceeding \$1,200/appeal \$3,900, and
 - other representations \$1,200;
- (b) for service providers
 - \$300 without prior authorization and
 - \$1,000 with prior authorization.

New Rates

- (a) for appointed attorneys
 - felony \$7,000,
 - misdemeanor \$2,000,
 - appeal \$5,000,
 - 18 U.S.C. § 4106A parole proceeding \$1,500/appeal \$5,000, and
 - other representations \$1,500;
- (b) for service providers
 - \$500 without prior authorization and
 - \$1,600 with prior authorization.

The key rules to remember are:

- 1) The new maximums apply to appointed counsel or a provider of investigative, expert, or other services for a representation if that person furnished **any** CJA compensable work on or **after December 8, 2004**.

and

- 2) The former case compensation maximums apply to appointed counsel or a provider of investigative, expert, or other services for a representation if that person's work was **completed before December 8, 2004**

If you have any questions regarding the new case compensation maximums, please feel free to contact the Clerk's Office. We will be glad to assist you with this matter.

Sincerely,

Lawrence K. Baerman
Clerk of Court